

JAN 18 2013

S.B. NO. 224

A BILL FOR AN ACT

RELATING TO ELECTIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 11-112, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) The ballot shall contain the names of the candidates,
4 their party affiliation or nonpartisanship in partisan election
5 contests, the offices for which they are running, and the
6 district in which the election is being held. In the case of a
7 candidate who has no opposition in the primary election, the
8 candidate's name shall only be printed on the general election
9 ballot.

10 In multimember races the ballot shall state that the voter
11 shall not vote for more than the number of seats available or
12 the number of candidates listed where such number is less than
13 the seats available."

14 SECTION 2. Section 12-21, Hawaii Revised Statutes, is
15 amended to read as follows:

16 "**§12-21 Official party ballots.** The primary or special
17 primary ballot shall be clearly designated as such. The names
18 of the candidates of each party qualifying under section 11-61



1 or 11-62 and of nonpartisan candidates may be printed on
2 separate ballots, or on a single ballot[-]; provided that the
3 name of a candidate who is unopposed in the primary election
4 shall not be printed on the primary ballot. The name of each
5 party and the nonpartisan designation shall be distinctly
6 printed and sufficiently separate from each other. The names of
7 all candidates shall be printed on the ballot as provided in
8 section 11-115. When the names of all candidates of the same
9 party for the same office exceed the maximum number of voting
10 positions on a single side of a ballot card, the excess names
11 may be arranged and listed on both sides of the ballot card and
12 additional ballot cards if necessary. When separate ballots for
13 each party are not used, the order in which parties appear on
14 the ballot, including nonpartisan, shall be determined by lot.

15 The chief election officer or the county clerk, in the case
16 of county elections, shall approve printed samples or proofs of
17 the respective party ballots as to uniformity of size, weight,
18 shape, and thickness prior to final printing of the official
19 ballots."

20 SECTION 3. Section 12-41, Hawaii Revised Statutes, is
21 amended by amending subsection (a) to read as follows:



1 "(a) The person or persons receiving the greatest number
2 of votes at the primary or special primary as a candidate of a
3 party for an office shall be the candidate of the party at the
4 following general or special general election but not more
5 candidates for a party than there are offices to be elected;
6 provided that [~~any candidate for any county office who is the
7 sole candidate for that office at the primary or special primary
8 election, or who would not be opposed in the general or special
9 general election by any candidate running on any other ticket,
10 nonpartisan or otherwise, and who is nominated at the primary or
11 special primary election shall, after the primary or special
12 primary election, be declared to be duly and legally elected to
13 the office for which the person was a candidate regardless of
14 the number of votes received by that candidate.] the name of a
15 candidate who is not opposed as a candidate of a party in the
16 primary election shall nonetheless appear on the general
17 election ballot pursuant to section 11-112."~~

18 SECTION 4. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

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1 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

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S.B. NO. 224

Report Title:

Elections; Ballots; Unopposed Candidates; Primary Elections

Description:

Provides that in the case of an unopposed candidate in the primary election, the candidate's name shall not appear on the primary election ballot but shall instead appear on the general election ballot.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

